

REMARKS

The present application was filed on June 21, 2001, with claims 1-27. The application claims priority to U.S. Provisional Patent Application Serial No. 60/266,791 filed on February 6, 2001. Claims 1-27 are currently pending in the application. Claims 1, 10 and 18 are the independent claims.

Applicants respectfully request reconsideration of the present application in view of the above amendments and the remarks to follow.

Claims 7, 17 and 24 have been amended to delete the phrase "or the like," and the §112 rejection should therefore be withdrawn.

Claims 1-27 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0101446A1 (hereinafter "Tang").

Applicants respectfully traverse the §102(e) rejection on the ground that the Examiner has failed to establish that the relied-upon disclosure from Tang is entitled to the benefit of a priority date which predates that of the present application. As indicated above, the present application was filed June 21, 2001, and claims priority to a provisional application filed February 6, 2001. Tang was filed on November 13, 2001, subsequent to the filing and priority dates of the present application. Tang is described as a continuation-in-part of U.S. Patent Application 09/521,486 filed March 9, 2000, now issued as U.S. Patent No. 6,731,308. Tang also claims priority to U.S. Provisional Application Serial No. 60/248,124 filed November 13, 2000.

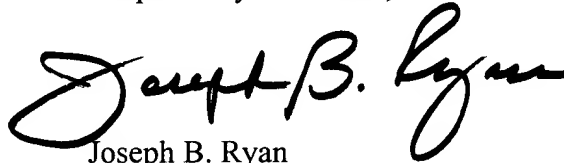
In formulating the §102(e) rejection, the Examiner relies on, among other disclosure, FIG. 18 of Tang. See the Office Action at, for example, page 2, last paragraph. However, there is no such figure in the above-noted U.S. Patent No. 6,731,308, which issued from the parent application of Tang, namely, U.S. Patent Application 09/521,486 filed March 9, 2000. Accordingly, it appears that FIG. 18 of Tang, relied upon by the Examiner in rejecting the present application, is not entitled to the March 9, 2000 priority date of U.S. Patent Application 09/521,486. Similarly, the Examiner has not demonstrated that the relied-upon FIG. 18 was present in U.S. Provisional Application Serial No. 60/248,124 filed November 13, 2000, from which Tang also claims priority. Applicants have not been provided with a copy of this provisional application, and so cannot determine if the relied-upon disclosure from Tang

was indeed present in the provisional and therefore entitled to the benefit of the November 13, 2000 provisional filing date.

Since the §102(e) rejection of claims 1-27 relies on disclosure from Tang which has not been demonstrated to be entitled to a priority date which predates that of the present application, the §102(e) rejection is believed to be improper and should be withdrawn.

In view of the above, Applicants believe that claims 1-27 are in condition for allowance, and respectfully request withdrawal of the §112 and §102(e) rejections.

Respectfully submitted,

A handwritten signature in black ink, reading "Joseph B. Ryan". The signature is fluid and cursive, with the first name "Joseph" and last name "Ryan" clearly legible.

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